

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

PURDUE PHARMA L.P., *et al.*,

Debtors.¹

Chapter 11

Case No. 19-23649 (RDD)

(Jointly Administered)

AFFIDAVIT AND DISCLOSURE STATEMENT OF Richard A. Mincer,

ON BEHALF OF Hirst Applegate, LLP

STATE OF Wyoming)
) s.s.:
COUNTY OF Laramie)

Richard A. Mincer, being duly sworn, upon his oath, deposes and says as follows:

1. I am a partner of Hirst Applegate, LLP,
located at 1720 Carey Avenue, Suite 400, Cheyenne, WY 82001 (the "**Firm**").
2. Purdue Pharma L.P. and its affiliates that are debtors and debtors in possession in the above-captioned chapter 11 cases (collectively, the "**Debtors**"), have requested that the Firm provide services to the Debtors, and the Firm has consented to provide such services (the "**Services**").
We have been asked by Purdue Pharma, L.P. to represent them and their entities in a lawsuit filed against it by the Wyoming Attorney General's Office. The State of Wyoming alleges Purdue Pharma L.P. and its entities deceptively marked opioids in Wyoming violating the Consumer Protection and Medicaid False Claims Act.

3. The Services include, but are not limited to, the following: See attached invoice 194160
and invoice 194164.

¹ The Debtors in these cases, along with the last four digits of each Debtor's registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF LP (0495), SVC Pharma LP (5717) and SVC Pharma Inc. (4014). The Debtors' corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

4. The Firm performed services in the past and may perform services in the future, in matters unrelated to these chapter 11 cases, for persons that are parties in interest in the Debtors' chapter 11 cases. As part of its customary practice, the Firm is retained in cases, proceedings, and transactions involving many different parties, some of whom may represent or be claimants or employees of the Debtors, or other parties in interest in these chapter 11 cases. The Firm does not perform services for any such person in connection with these chapter 11 cases. In addition, the Firm does not have any relationship with any such person, such person's attorneys, or such person's accountants that would be adverse to the Debtors or their estates with respect to the matters on which the Firm is to be retained.

5. Neither I, nor any principal of, or professional employed by the Firm has agreed to share or will share any portion of the compensation to be received from the Debtors with any other person other than principals and regular employees of the Firm.

6. Neither I nor any principal of, or professional employed by the Firm, insofar as I have been able to ascertain, holds or represents any interest materially adverse to the Debtors or their estates with respect to the matters on which the Firm is to be retained.

7. As of the commencement of this chapter 11 case, the Debtors owed the Firm \$ 308.50 in respect of prepetition services rendered to the Debtors.

8. The Firm is conducting further inquiries regarding its retention by any creditors of the Debtors, and upon conclusion of this inquiry, or at any time during the period of its employment, if the Firm should discover any facts bearing on the matters described herein, the Firm will supplement the information contained in this Affidavit.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Affidavit and Disclosure Statement was executed on 12/17, 2019, at 11:55 am.

[Signature]
Affiant Name

SWORN TO AND SUBSCRIBED before
Me this 17 day of December, 2019

Norma J. Hubka
Notary Public



09/20/2019 SLB -
invoice 194160
submitted
electronically
through Colloborati
ebilling system.

HIRST APPLGATE, LLP
P O BOX 1083
CHEYENNE WY 82003-1083
FIRM TELEPHONE NUMBER: (307) 632-0541
FIRM FAX NUMBER: (307) 632-4999

SLB

SEP 20 2019

Purdue Pharma L.P.

Page: 1
09/15/2019
ACCOUNT NO: 84388-00M
INVOICE NO. 194160

Purdue Pharma L.P., State of Wyoming v.
26-4165569
20180002085
\$285/180/105 - Monthly

				RATE	HOURS	
09/14/2019						
RAM	L210	A107	Communicate (other outside counsel) - emails with counsel re: potential bankruptcy filing next week	285.00	0.20	57.00
TOTAL CURRENT FEES					0.20	57.00

RECAPITULATION			
TIMEKEEPER	Title	HOURS	HOURLY RATE
RICHARD A MINCER	PARTNER	0.20	\$285.00
			TOTAL \$57.00

TOTAL FEES & EXPENSES BILLED THIS STATEMENT 57.00

BALANCE DUE \$57.00

	Billing History				
	FEES	EXPENSES	FINANCE CHARGE	PAYMENTS	
	17,293.50	322.77	0.00	17,165.63	
Write Off	393.64	0.00	0.00	0.00	

Task Code Summary		FEES	EXPENSES
L210	Pleadings	57.00	0.00
L200	Summary of Pre-Trial Pleadings and Motions	57.00	0.00

HIRST APPLGATE, LLP
P O BOX 1083
CHEYENNE WY 82003-1083
FIRM TELEPHONE NUMBER: (307) 632-0541
FIRM FAX NUMBER: (307) 632-4999

09/20/2019 SLB -
invoice 1914164
submitted
electronically
through Colloborati
ebilling system.

SLB

SEP 20 2019

Purdue Pharma L.P.

Page: 1
09/16/2019
ACCOUNT NO: 84388-00M
INVOICE NO. 194164

Purdue Pharma L.P., State of Wyoming v.
26-4165569
20180002085
\$285/180/105 - Monthly

				RATE	HOURS	
09/16/2019						
RAM	L210	A107	Communicate (other outside counsel) - review Notice of BR pleading rec'd from Dechert, emails re: same, finalize and file.	285.00	0.60	171.00
NJH	L210	A103	Draft/revise - Review and revise the Notice/Suggestion of Bankruptcy and Automatic Stay of Proceedings.	105.00	0.50	52.50
NJH	L210	A107	Communicate (other outside counsel) - Draft/revise an email to counsel and to the Judge sending a file-stamped copy of the Notice/Suggestion of Bankruptcy and Automatic Stay of Proceedings.	105.00	0.10	10.50
TOTAL CURRENT FEES					1.20	234.00

RECAPITULATION

TIMEKEEPER	Title	HOURS	HOURLY RATE	TOTAL
RICHARD A MINCER	PARTNER	0.60	\$285.00	\$171.00
NORMA J HUBKA	PARALEGAL	0.60	105.00	63.00

09/16/2019	L120	E108	Postage - September 2019	3.50
09/16/2019	L320	E101	Copying - September 2019	11.30

Purdue Pharma L.P.

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09/16/2019

ACCOUNT NO: 84388-00M

INVOICE NO. 194164

Purdue Pharma L.P., State of Wyoming v.

26-4165569

20180002085

\$285/180/105 - Monthly

TOTAL CURRENT EXPENSES 14.80

TOTAL FEES & EXPENSES BILLED THIS STATEMENT 248.80

BALANCE DUE \$248.80

	<u>FEES</u>	<u>EXPENSES</u>	<u>Billing History</u>	<u>FINANCE CHARGE</u>	<u>PAYMENTS</u>
	17,527.50	337.57	0.00	0.00	17,165.63
Write Off	393.64	0.00	0.00	0.00	

<u>Task Code Summary</u>		<u>FEES</u>	<u>EXPENSES</u>
L120	Analysis/Strategy	0.00	3.50
L100	Summary of Case Assessment, Development and Administration	0.00	3.50
L210	Pleadings	234.00	0.00
L200	Summary of Pre-Trial Pleadings and Motions	234.00	0.00
L320	Document Production	0.00	11.30
L300	Summary of Discovery	0.00	11.30

Exhibit 5

Retention Questionnaire

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

**PURDUE PHARMA L.P., *et al.*,

Debtors.⁴**

Chapter 11

Case No. 19-23649 (RDD)

(Jointly Administered)

RETENTION QUESTIONNAIRE

TO BE COMPLETED BY PROFESSIONALS EMPLOYED by Purdue Pharma L.P. and its affiliates that are debtors and debtors in possession in the above-captioned cases (collectively, the “**Debtors**”).

All questions **must** be answered. Please use “none,” “not applicable,” or “N/A,” as appropriate. If more space is needed, please complete on a separate page and attach.

1. Name and address of professional:

Hirst Applegate, LLP, 1720 Carey Avenue, Suite 400, Cheyenne, WY 82001

2. Date of retention: October 16, 2019

3. Type of services to be provided:

⁴ The Debtors in these cases, along with the last four digits of each Debtor’s registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF LP (0495), SVC Pharma LP (5717) and SVC Pharma Inc. (4014). The Debtors’ corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

Legal services.

4. Brief description of services to be provided:

We have been asked by Purdue Pharma, L.P. to represent them and their entities in a lawsuit against it by the Wyoming Attorney General's Office. The State of Wyoming alleges Purdue Pharma, L.P. and its entities deceptively marketed opioids in Wyoming violating the Consumer Protection and Medicaid False Claims Act.

5. Arrangements for compensation (hourly, contingent, etc.):

Hourly

(a) Average hourly rate (if applicable):

\$285/180/105

(b) Estimated average monthly compensation based on prepetition retention (if company was employed prepetition):

6. Prepetition claims against the Debtors held by the company:

Amount of claim: \$ 305.80

Date claim arose: September 15, 2019

Nature of claim: Unpaid invoices for legal services.

7. Prepetition claims against the Debtors held individually by any member, associate, or employee of the company:

Name: _____

Status: _____

Amount of claim: \$ _____

Date claim arose: _____

Nature of claim: _____

8. Disclose the nature and provide a brief description of any interest adverse to the Debtors or to their estates for the matters on which the professional is to be employed:

None known.

9. Disclose whether the professional currently represents any of the Debtors' existing shareholders, including trusts, beneficiaries, companies, affiliates, family members and any similar related parties (together, the "**Shareholder Parties**"), and/or any entity owned or controlled by any Shareholder Party (in each case other than any Debtor), and whether any Shareholder Party or any entity owned or controlled by any Shareholder Party (other than any Debtor) accounted for more than 1% of the professionals' annual revenue for any of the last five years. If so, describe what ethical walls or other protections are in place with regard to the concurrent representations.

None known.

10. Name and title of individual completing this form:

Sherrie Beardsley, Accounting Specialist

Dated: December 16, 2019